
**Agriculture & Natural Resources
Committee**

SB 6070

Brief Description: Regarding disposal of dredged riverbed materials.

Sponsors: Senator Hatfield.

Brief Summary of Bill

- Reinstates the authority, until the year 2035, to remove dredge materials resulting from the eruption of Mount St. Helens from state-owned aquatic lands without compensating the Department of Natural Resources for the value of the materials.

Hearing Date: 3/17/09

Staff: Jason Callahan (786-7117)

Background:

Aquatic Lands.

The Washington State Constitution declares that the beds and shores of all navigable waters in Washington are owned by the state. The Legislature subsequently designated the Department of Natural Resources (DNR) as the steward of these lands. The DNR acts as a proprietor, subject to legislative direction, of all state-owned aquatic lands and holds these lands in trust for all current and future residents of the state.

The Legislature has also vested specific authority for the DNR to sell valuable resources from state lands. The department sells a variety of resources from state lands, including timber, stone, gravel, and geoducks. When a valuable material is removed from state-owned aquatic lands, the proceeds of the sale are split evenly between the DNR's aquatic lands program and the Aquatic Lands Enhancement Account.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Mount St. Helens.

The 1980 eruption of Mount St. Helens caused a significant amount of material to enter several of Washington's navigable rivers systems. These rivers were subsequently dredged, and much of the dredge spoil was deposited on the public and private land adjacent to the riparian areas.

Between 1980 and 1995, dredge spoils could be removed without paying the DNR for the value of the materials from the shores of the Toutle River, the Coweeman River, and the section of the Cowlitz River from two miles above its confluence with Toutle River to its mouth. This authorization expired on December 31, 1995.

Summary of Bill:

The authority to remove dredge materials resulting from the eruption of Mount St. Helens from state-owned aquatic lands without compensating the DNR for the value of the materials is reinstated until December 31, 2035. The geographic area from where materials can be removed remains the same as the original time period: the shores of the Toutle River, the Coweeman River, and the section of the Cowlitz River from two miles above its confluence with Toutle River to its mouth.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.